

MEASURES AND THE OWNER SHALL PAY THE COST. IF THE OWNER REFUSES TO PAY THE COST, IT SHALL BE COLLECTED AS PROVIDED IN SECTION 5-307. . The Secretary [shall] MAY treat any suspicious plant found in dangerous proximity to those infested or infected in order to prevent dissemination.

5-307.

(a) If the Secretary or his designee finds any plant infested or [diseased] INFECTED with any dangerously injurious [insect, other animal pest, or plant disease] PLANT PEST, he shall ISSUE A STOP SALE NOTICE AND mark or tag [[it]] THE PLANT in a conspicuous manner. He shall give written notice to the owner, tenant, or person in charge of the premises.

(b) If [, within ten days after notification,] the person notified does not destroy or treat the infested or infected plant pursuant to the Departmental rules and regulations, the Secretary shall destroy or treat the plant. The Secretary shall prepare a statement of the expenses of destruction or treatment and shall transmit a copy of the statement and account to the state's attorney of the county where the owner of the premises resides. The state's attorney shall collect the expenses and account to the Secretary. The copy of the statement and account is sufficient evidence to prove the claim.

5-309.

(a) [The Secretary shall inspect at] AT least once every year THE SECRETARY SHALL INSPECT all nurseries [susceptible to dangerously injurious insects, other animal pests, or plant diseases] in the State TO DETERMINE IF THE NURSERY STOCK IS INFESTED OR INFECTED WITH DANGEROUSLY INJURIOUS PLANT PESTS. A FEE OF \$1 PER ACRE (OR PART OF AN ACRE) IN PRODUCTION OF NURSERY STOCK UP TO A MAXIMUM FEE OF \$500 SHALL BE PAID BY EACH NURSERY FOR EACH ANNUAL INSPECTION. [[ALL FEES COLLECTED SHALL BE PLACED IN THE PLANT PROTECTION FUND AND USED TO DEFRAY PARTIALLY THE COST OF INSPECTING THE NURSERIES]] ALL FEES COLLECTED SHALL BE PLACED IN THE PLANT PROTECTION FUND AND USED TO DEFRAY PARTIALLY THE COST OF INSPECTING THE NURSERIES .

(b) [If inspection shows the nursery to be free from dangerously injurious insects, other animal pests, or plant diseases, the Secretary shall give the owner or person in charge of the nursery a certificate of inspection showing the nurseries or premises to be apparently free from dangerously injurious insects, other animal pests, or plant diseases.] EACH NURSERY SHALL BE CERTIFIED ANNUALLY BY THE SECRETARY IF IT MEETS STANDARDS